

REMARKS/ARGUMENTS

Reexamination and reconsideration of this application as amended is requested. By this amendment, Claims 2-3 and 27-28 have been amended. Claims 1 and 26 have been canceled without prejudice. Claims 2-25, and 27-43 remain in this application. Please note that page 2 of the Detailed Action acknowledges that the application contains claims 1-43, while the Office Action Summary sheet lists only 42 claims pending in the application. Applicants believe that dependent Claim 43, being a dependent claim depending from allowable independent Claim 28, is also allowable.

(1) SPECIFICATION: The Examiner objected to the Specification and required that page 1, lines 13-19, be corrected to indicate patent application numbers and current status. As requested by the Examiner, the Specification, on page 1, lines 13-19, has been modified to include patent application numbers and current status. Accordingly, Applicants request that the Examiner withdraw her objection to the Specification.

(2) CLAIM OBJECTIONS: The Examiner objected to Claims 1-25. Specifically, the Examiner stated that the claims contain informalities in that the preamble should state the intended use or purpose of the invention. Applicants believe that the preambles of all the pending claims currently recite in proper form according to permitted statutory subject matter as provided for under 35 USC § 101. Specifically, Applicants respectfully submit that a preamble reciting any of a method, an apparatus, a system, or a computer readable medium, are all properly reciting statutory subject matter permitted under 35 USC § 101. Claim limitations, including intended use and purpose, are recited in the claim elements following the preamble for each claim, as permitted under current practice. Applicants kindly request that the Examiner withdraw this objection, or, alternatively that the Examiner be more specific as to the required language for the preambles of the pending claims.

(3-9) CLAIM REJECTIONS – 35 USC § 103(a): The Examiner rejected Claims 1-2 and 26-27 under 35 U.S.C. § 103(a) as being unpatentable over the Krolikoski paper entitled Standardizing ASIC Libraries in VHDL Using VITAL: a Tutorial (the Krolikoski paper) in view of the Balaji et. al. paper entitled Modeling ASIC Memories in VHDL (the Balaji paper). Specifically, regarding claim 1, the Examiner characterized Kroloikoski as teaching the basics of using generic timing parameters in VITAL timing packages and the storage of static timing data but did not specifically state how or whether the generics hold the delay values. The Examiner characterized the Balaji paper as further disclosing the specifics of the timing implementation of VITAL procedures including generics that hold delay value pairs.

Although Applicants respectfully disagree with the characterizations of the cited prior art references, and further disagree that these references either individually or in combination may teach or suggest the currently claimed invention as recited for the rejected claims, for the purpose of expedited allowance of all the remaining claims of the current patent application to issue as a U.S. patent, Applicants have canceled independent Claims 1 and 26 without prejudice. Further, Applicants have amended allowable dependent Claims 3 and 28 into independent form and including all of the limitations of their respective independent Claims 1 and 26, as indicated on page 4 of the Office Action by Examiner's statement of Allowable Subject Matter. Applicants wish to state that the amendments discussed above were made without any intent to add further limitations to, or for scope of patentability of, the remaining pending claims as discussed above.

Lastly, dependent Claims 2 and 27 were amended to depend from now independent allowable Claims 3 and 28. Accordingly, Applicants believe that dependent Claims 2 and 27 are now also in condition for allowance.

Therefore, in view of the discussion above, Applicants believe that the rejection of Claims 1-2 and 26-27 under 35 U.S.C. § 103(a) has been overcome by the amendment and remarks above. Applicants request that the Examiner withdraw the rejection.

(10-11) ALLOWABLE SUBJECT MATTER:

The Applicants appreciate and acknowledge the Examiner finding allowable subject matter with respect to Claims 3-25 and 28-42. Again, it is noted that the original application contains 43 claims and Applicants assume that the omission of dependent claim 43 was a minor oversight and that dependent Claim 43, depending from allowable independent Claim 28, is also in condition for allowance. In accordance with Examiner's indication of allowable subject matter, Applicants have rewritten Claims 3 and 28 in independent form including all limitations of their respective base Claims 1 and 26. Also, Claims 1 and 26 have been canceled. Accordingly, Applicants believe that amended independent Claims 3 and 28 are in condition for allowance. Furthermore, dependent Claims 2 and 4-18 depend from newly amended independent Claim 3, and dependent Claims 27 and 29-43 depend from newly amended independent Claim 28. Since dependent claims contain all of the limitations of the independent claims, Applicants believe that these dependent Claims 2, 4-18, 27, and 29-43, are also now in condition for allowance.

Conclusion

The foregoing is submitted as full and complete response to the Official Action mailed September 15, 2003, and it is submitted that Claims 2-25, and 27-43 are in condition for allowance. Reconsideration of the rejection is requested. Allowance of Claims 2-25 and 27-43 is earnestly solicited.

The present application, after entry of this amendment, comprises forty-one (41) claims, including four (4) independent claims. Applicants have previously paid for forty-three (43) claims including four (4) independent claims. Applicants, therefore, believe that no additional fee is currently due.

If the Examiner believes that there are any informalities that can be corrected by Examiner's amendment, or that in any way it would help expedite the prosecution of the patent application, a telephone call to the undersigned at (561) 989-9811 is respectfully solicited.

The Commissioner is hereby authorized to charge any fees that may be required or credit any overpayment to Deposit Account 09-0463.

In view of the preceding discussion, it is submitted that the claims are in condition for allowance. Reconsideration and re-examination is requested.

Respectfully submitted,

Date: 12/15/03

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